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Chapter No. 42

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SENATE BILL NO. 3128

Originated in Senate

Jermaine Thompson

Secretary

SENATE BILL NO. 3128

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES' DESIGNATED INSTITUTES, LABORATORIES AND PROGRAMS FOR WHICH THEY ARE RESPONSIBLE AND THE EXECUTIVE OFFICE OF THE BOARD OF TRUSTEES FOR FISCAL YEAR 2011; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. The following sums of money, or so much thereof as may be necessary, are hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support of the Mississippi State Chemical Laboratory, Water Resources Institute, Mississippi Law Research Institute, Jackson State University Urban Research Center, Mississippi Mineral Resources Research Institute, Research Institute of Pharmaceutical Sciences, the Supercomputer, the Stennis Institute of Government, Gulf Coast Research Laboratory, Polymer Institute, Small Business Development Center, Stennis Center for Higher Learning, the Commission for Volunteer Services and the executive office of the board of trustees for the fiscal year beginning July 1, 2010, and ending June 30, 2011 \$ 25,108,362.00.

SECTION 2. The following sums of money, or so much thereof as may be necessary, are hereby appropriated out of the proceeds from any federal, student fees or other special source funds not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support of Mississippi State Chemical Laboratory, Water Resources Institute, Mississippi Alcohol Safety Education Program, Stennis Institute of Government, Mississippi Law Research Institute, Mississippi Small

Business Development Center, Mississippi Mineral Resources Research Institute, Research Institute of Pharmaceutical Sciences, the Supercomputer, Stennis Space Center's Center for Higher Learning, Gulf Coast Research Laboratory, Polymer Institute, Jackson State University Urban Research Center, the Commission for Volunteer Services and the executive office of the board of trustees for the fiscal year beginning July 1, 2010, and ending June 30, 2011 \$ 91,331,270.00.

SECTION 3. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the:

Mississippi Alcohol Safety Education Program ... \$ 150,000.00
State Court Education Program \$ 1,582,832.00
for the purpose of defraying the expenses incurred by said programs for the fiscal year beginning July 1, 2010, and ending June 30, 2011.

SECTION 4. Of the funds appropriated under the provisions of Sections 1 and 2 hereof, the following amounts, or so much thereof as may be necessary, shall be expended by the Board of Trustees of State Institutions of Higher Learning for the purposes hereinafter set forth:

(a) From State General Funds, for the support of:

Executive Office of the Board of Trustees for
the sum of \$ 6,861,802.00.
Center for Advanced Vehicular Systems \$ 3,926,291.00.
Mississippi State Chemical Laboratory for the
sum of \$ 1,709,315.00.
Mississippi Water Resources Institute for the
sum of \$ 120,531.00.
Mississippi Law Research Institute for the
sum of \$ 829,232.00.
Mississippi Mineral Resources Institute for
the sum of \$ 423,586.00.

Research Institute of Pharmaceutical Sciences	
for the sum of	\$ 3,208,655.00.
Jackson State University Urban Research	
Center for the sum of	\$ 502,407.00.
Gulf Coast Research Laboratory for the	
sum of	\$ 3,255,104.00.
Supercomputer for the sum of	\$ 727,661.00.
Mississippi Polymer Institute for	
the sum of	\$ 692,525.00.
Mississippi Small Business Development	
Center for the sum of	\$ 250,984.00.
Stennis Space Center - Center for Higher	
Learning for the sum of	\$ 444,485.00.
Stennis Institute of Government for the	
sum of	\$ 965,739.00.
Commission for Volunteer Services for	
the sum of	\$ 363,913.00.
Center for Manufacturing Excellence for	
the sum of	\$ 826,132.00.
(b) From Special Funds, for the support of:	
Executive Office of the Board of Trustees for	
the sum of	\$ 33,919,510.00.
Mississippi State Chemical Laboratory for the	
sum of	\$ 486,023.00.
Mississippi Law Research Institute for the	
sum of	\$ 839,587.00.
Mississippi Mineral Resources Institute for	
the sum of	\$ 2,937,053.00.
Research Institute of Pharmaceutical Sciences	
for the sum of	\$ 10,728,353.00.
Gulf Coast Research Laboratory for the	
sum of	\$ 2,267,500.00.
Mississippi State University-Alcohol Safety	

for the sum of \$ 1,304,761.00.
Mississippi Small Business Development
Center for the sum of \$ 967,430.00.
Commission for Volunteer Services for
the sum of \$ 29,423,283.00.
Center for Manufacturing Excellence for
the sum of \$ 8,457,770.00.

Of the funds appropriated under the provisions of Section 1, and allocated to the Gulf Coast Research Laboratory, the Board of Trustees of State Institutions of Higher Learning shall allocate for Sea Grants matching One Hundred Seventy-five Thousand Dollars (\$175,000.00) for the Fiscal Year 2011.

Provided further, it is the intention of the Legislature, in the event budget reductions are imposed on the Gulf Coast Research Laboratory by the Board of Trustees of State Institutions of Higher Learning, as a result of the Governor ordering budget reductions under the provisions of Section 27-104-13 or 31-17-123, Mississippi Code of 1972, the same percent reduction will be applied to those state funds identified in this section for Sea Grant match.

It is the intent of the Legislature that no general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

After the Mississippi State Chemical Laboratory has provided the maximum amount of services which may be provided free of charge under the provisions of Section 57-21-11(c), Mississippi Code of 1972, the laboratory shall not provide any additional services from the funds appropriated under the provisions of Sections 1 and 2 if any charges for such services previously provided are more than ninety (90) days past due. After all such

delinquent charges have been paid by a client, the laboratory may provide additional services to the client.

SECTION 5. Of the funds appropriated in Section 2 and authorized for expenditure in Section 4(2), the following amounts shall be derived from Education Enhancement Funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972:

Executive Office of the Board of Trustees

for the sum of\$ 402,396.00.

SECTION 6. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Board of Trustees of State Institutions of Higher Learning, or any of the powers or duties of any institution under the jurisdiction of the board of trustees, that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 7. It is the intention of the Legislature that the budget requests of the individual institutes, laboratories and programs consolidated in this bill for Fiscal Year 2012 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2011 budget request process.

SECTION 8. The Board of Trustees shall report yearly to the Legislature the institution compliance with Section 97-11-51, Mississippi Code of 1972, which prohibits deficit spending.

SECTION 9. Of the funds appropriated under the provisions of Section 1, One Hundred Fifty Thousand Dollars (\$150,000.00) is provided for the purpose of defraying the expenses of the University Research Center Bureau of Comprehensive Long-Range Economic Planning in supporting the Mississippi Delta Regional Revitalization Act of 2006, as created in House Bill No. 1034 (2006 Regular Session).

SECTION 10. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-103, Mississippi Code of 1972.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. It is legislative intent to ensure beneficial information reaches as many Mississippians as possible. Further, it is legislative intent that the expenditure of public funds for this purpose be accomplished in an efficient and effective manner.

Therefore, state agencies as standard procedure, will observe the following criteria:

- (a) Develop goals and desired result for a campaign.
- (b) Evaluate effectiveness through respected advertising standards, including market reach and cost-effectiveness.
- (c) Seek public service announcements, which would be aired by media without cost.
- (d) Itemize and justify professional assistance and related expenses for creative and production costs outside of the actual media expenditures.
- (e) Utilize Mississippi-owned media companies when feasible.

SECTION 13. Of the funds provided within this act, no former employee who is receiving State of Mississippi retirement benefits shall be hired under contract for an amount exceeding Twenty Thousand Dollars (\$20,000.00) a year without prior approval by an

agency's proper governing board or authority. Upon approval of such contracts a written report shall be submitted detailing the cost and need of contract services to the Chairmen and members of the Senate and House Appropriation Committees.

SECTION 14. It is the intention of the Legislature that the agency shall compile cell phone usage records of any cellular phone (wireless communication device) that is assigned, issued or made available to any officer or employee in accordance with Section 25-53-191, Mississippi Code of 1972, and these records shall be made publicly available at the expense of the agency.

SECTION 15. It is the intention of the Legislature that this agency shall have the authority to receive, budget and expend funds from any source that may become available to them as a result of the passage of the American Recovery and Reinvestment Act of 2009 in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

The Executive Director of the Department of Finance and Administration shall have the authority to approve escalations of funds and employee positions using funds from any source available due to the passage of the American Recovery and Reinvestment Act of 2009.

The Executive Director of the Department of Finance and Administration shall immediately send notice of the approval of such budget escalation to the House of Representatives Appropriations Committee, the Senate Appropriations Committee and the Legislative Budget Office. Within fifteen (15) days of such approval, the Executive Director of the Department of Finance and Administration shall ensure that the Legislative Budget Office receives detailed and accurate information about the amount and use of federal and special source funds by state agencies as a result of the passage of the American Recovery and Reinvestment Act of 2009.

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2010.

PASSED BY THE SENATE
April 21, 2010



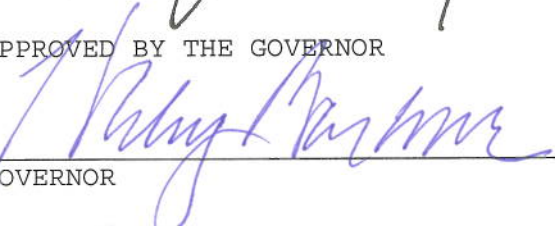
PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
April 21, 2010



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

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